IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2494 OF 2005

IN

SUIT NO.2332 OF 2005

M/s.Chemosol Industries (India) Pvt.Ltd. ...Plaintiff.

vs.

Dat Industries Pvt.Ltd. ...Defendant.

Mr.Girish Kedia, for Plaintiff .

None for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 30th MARCH,2007..

P.C.:-

1. Heard the learned Counsel appearing for plaintiff. None appears for defendant. The learned Counsel appearing for plaintiff states that the defendant has been served. He undertakes to file affidavit of service within one week from today.

2. By order dated 5.9.2005, ad-interim order in terms of prayer clause (b) has been made. The amount deposited by the defendant in the Company petition stands transferred to the account

of this suit. The Prothonotary and Senior Master of this Court shall permit the plaintiff to withdraw the amount that may be lying to the credit of the suit on furnishing bank guarantee of a nationalised bank to the satisfaction of the Prothonotary and Senior Master of this Court and also furnishing an undertaking undertaking therein to bring back the amount if so directed by this Court on such terms and conditions as may be directed by this Court.

Notice of motion is disposed of.